

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division

UNITED STATES OF AMERICA,  
Plaintiff,

v.

Civil Action No. 3:12-cv-059-JAG

COMMONWEALTH OF VIRGINIA,  
Defendant.

**ORDER**

The Court held a hearing on April 23, 2019, to begin the process of terminating this case. At the hearing, the parties presented evidence to demonstrate whether the Commonwealth has complied with the terms of the consent decree. They also tried to state in precise measurable terms what the Commonwealth must do to comply with the remaining provisions of the decree.

After considering the evidence from the hearing and the parties' compliance submissions (Dk. Nos. 314, 315, 318, 323), the Court has determined that the parties need to create a document system, or library, to ensure that the Commonwealth will perform all provisions of the consent decree. The system will enable interested parties to review documents to determine the Commonwealth's compliance, even after the consent decree terminates. In other words, the documents will create a framework for implementing and sustaining each decree provision.

The library might include regulations, statutes, instructions, protocols, studies, training documents, guidelines, checklists, charters, directives, plans, policies, procedures, reference materials, and anything else that might guide someone who tries to determine the Commonwealth's future compliance with the consent decree. The library should contain documents pertaining to each provision of the decree. For example, deciding whether the Commonwealth's quality management system complies with Section V.B. of the decree might

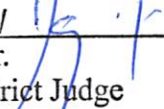
entail reviewing (1) the risk management committee's charter, (2) directives to subgroups within the committee, and (3) checklists for specific sites.

Accordingly, within six months of this Order, the parties shall file with the Court and provide to the Independent Reviewer a document system that will allow future measurement of the Commonwealth's compliance with the consent decree.

It is so ORDERED.

Let the Clerk send a copy of this Order to all counsel of record.

Date: 6 May 2019  
Richmond, VA

/s/   
John A. Gibney, Jr.  
United States District Judge